

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

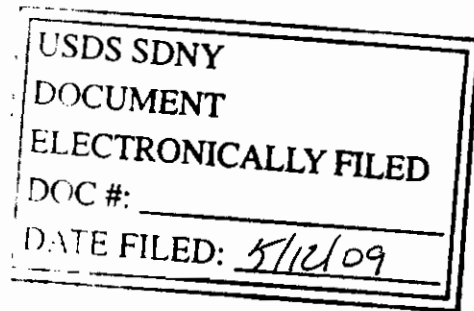
LEXINGTON INSURANCE COMPANY, as
subrogor of, NO. 5 TIMES SQUARE
DEVELOPMENT, LLC,

Plaintiff,

-v-

GMRI, INC., et al.

Defendants.



No. 06 Civ. 7712 (RJS)(KNF)
ORDER

RICHARD J. SULLIVAN, District Judge:

It having been reported to the Court that this action has been resolved,

IT IS HEREBY ORDERED that this action is dismissed with prejudice but without costs; provided, however, that within thirty days of the date of this Order, any party may apply by letter for restoration of this action to the calendar of the undersigned, in which event the action will be restored.

SO ORDERED.

Dated: May 11, 2009
New York, New York

RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE